

1 **ANTHONY P. SGRO, ESQ.**

Nevada Bar No. 3811

2 **JOSHUA D. JUDD, ESQ.**

Nevada Bar No. 14890

3 **SGRO & ROGER**

2901 El Camino Avenue, Suite 204

4 Las Vegas, Nevada 89102

Telephone: (702) 384-9800

5 Facsimile: (702) 665-4120

tsgro@sgroandroger.com

6 jjudd@sgroandroger.com

7 *Attorneys for Plaintiff*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 MARY J. KINCAID-CHAUNCEY,

11 Plaintiff,

12 vs.

13 SMITH'S FOOD & DRUG CENTERS, INC., a
Foreign Corporation; DOE EMPLOYEE, an
individual; DOES I through XX, inclusive; and
14 ROE BUSINESS ENTITIES I through XX,
inclusive,

15 Defendants.
16

Case No: 2:24-cv-00464-CDS-DJA

**STIPULATION AND ORDER TO
ALLOW DEPOSITION OF TRACEY
MIRANDA, INDIVIDUALLY AND AS
30(b)(6) DESIGNEE, OUTSIDE OF
DISCOVERY, AND TO EXTEND
PLEADING DEADLINES
(SECOND JOINT REQUEST)**

17 IT IS HEREBY STIPULATED by and between the Parties hereto and their respective
18 counsel of record, that the Deposition of Tracey Miranda, individually and as the 30(b)(6)
19 Designee for Defendant SMITH'S FOOD & DRUG CENTERS, INC., may proceed outside the
20 time set forth for discovery in this action, as ordered by this Court on April 7, 2025, and that the
21 pending pleading deadlines be extended in this case accordingly.

22 ///

23 ///

24 ///

I. LOCAL RULE 26-3 INFORMATION

A. Discovery Completed

The Parties have exchanged Initial Disclosures. Plaintiff disclosed her Initial Disclosures on April 17, 2024. Defendant made their Initial Disclosure on June 10, 2024. The Parties have exchanged Written Discovery Requests.

Plaintiff served her Non-Retained Expert Disclosures on August 2, 2024. Plaintiff was deposed on August 21, 2024. Plaintiff served her First Supplemental Disclosures on October 17, 2024. Plaintiff's Second Supplemental disclosures were served on December 27, 2024. On January 17, 2025, Plaintiff served her Designation of Retained Expert Witnesses. Plaintiff's Third Supplemental Disclosures were served on March 17, 2025.

The last day for Discovery in this action was March 17, 2025. See [ECF No.26].

B. Discovery Remaining to be Completed

On April 7, 2025, this Court found that, per the Parties' respective briefing, the deposition of Miranda should go forward. [ECF No.33]. That deposition was previously noticed and agreed upon as both an individual deposition and as a deposition as Defendant's FRCP 30(b)(6) designee as to certain topics. See [ECF No.30-8].

C. Current Discovery Deadlines

Proposed Deadlines:

Dispositive Motions (currently 04/15/25)

June 13, 2025

Joint Pretrial Order (currently 06/16/25)

**July 14, 2025 (*or, 30 days
after decision on any
dispositive motion)**

II. GOOD CAUSE EXISTS TO EXTEND THE DISCOVERY DEADLINES

The parties agree that the deposition of Miranda should proceed, a fact highlighted in this Court's recent Order. [ECF No.33]. As this is the only item of discovery that was

previously noticed and remains outstanding, the Parties believe that re-opening discovery is unnecessary to fulfill this purpose.

However, pursuant to the Local Rules (and this Court's previous scheduling Order ([ECF No.26])), the current deadline for dispositive motions does not allow time for the Parties to arrange for and complete the deposition of Miranda. As such, the Parties request a continuance of the current deadlines, as set forth in Section II(C), *supra*. This stipulation is entered into in good faith and is not for the purpose of delay.

III.CONCLUSION

For all the foregoing reasons, the Parties respectfully request this Court enter the attached Order to extend the discovery deadlines.

IT IS SO STIPULATED.

DATED this 11th day of April 2025.

SGRO & ROGER

/s/ Joshua D. Judd

ANTHONY P. SGRO, ESQ.

Nevada Bar No. 3811

JOSHUA D. JUDD, ESQ.

Nevada Bar No. 14890

2901 El Camino Avenue, Ste. 204

Las Vegas, NV 89102

Attorneys for Plaintiff

COOPER LEVENSON, P.A.

/s/ Jerry S. Busby

JERRY S. BUSBY, ESQ.

Nevada Bar No. 01107

3016 West Charleston Blvd. - #195

Las Vegas, NV 89102

Attorney for Defendant Smith's Food & Drug Centers, Inc.

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 MARY J. KINCAID-CHAUNCEY,

4 Plaintiff,

5 vs.

6 SMITH'S FOOD & DRUG CENTERS, INC., a
Foreign Corporation; DOE EMPLOYEE, an
individual; DOES I through XX, inclusive; and
7 ROE BUSINESS ENTITIES I through XX,
8 inclusive,

9 Defendants.

Case No: 2:24-cv-00464-CDS-DJA

**ORDER GRANTING STIPULATION
AND ORDER TO ALLOW
DEPOSITION OF TRACEY
MIRANDA, INDIVIDUALLY AND AS
30(b)(6) DESIGNEE, OUTSIDE OF
DISCOVERY, AND TO EXTEND
PLEADING DEADLINES
(SECOND JOINT REQUEST)**

10 NOW, THEREFORE based upon the Stipulation of the Parties, and good cause
11 appearing:

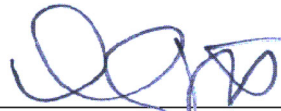
12 IT IS HEREBY ORDERED that the above-noted deadlines are hereby approved as
13 follows:

14 Dispositive Motions (currently 04/15/25)

June 13, 2025

15 Joint Pretrial Order (currently 06/16/25)

**July 14, 2025 (*or, 30 days
after decision on any
dispositive motion)**

17 

18 DANIEL J. ALBREGTS
19 UNITED STATES MAGISTRATE JUDGE

20 DATED: 4/14/2025